

AN ACT
D.C. ACT 24-755

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2023

To amend the Green Building Act of 2006 to require that construction of new or substantially improved buildings that the District government owns or finances in significant part adhere to net zero energy standards and not incorporate fossil fuel consumption; and to amend the Department of General Services Establishment Act of 2011 to codify the Sustainability and Energy Division of the Department of General Services, to give net zero energy ready, fossil fuel free buildings priority consideration for the District government's facility needs, to require the Department of General Services to host net zero energy construction and maintenance trainings every 2 years for facilities staff, certified business enterprises, and interested parties, and to require the Department of General Services to report every 2 years on certified business enterprise and resident employee participation in net zero energy and energy retrofitting projects.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Greener Government Buildings Amendment Act of 2022".

Sec. 2. Section 3(a) of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.02(a)), is amended as follows:

(a) Paragraph (2) is amended as follows:

(1) Subparagraph (B)(iii)(II) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Subparagraph (C) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new subparagraph (D) is added to read as follows:

“(D) Maintain net zero energy compliance.”.

(b) Paragraph (3) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Subparagraph (B) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new subparagraph (C) is added to read as follows:

“(C) Maintain net zero energy compliance.”.

(c) Paragraph (6) is amended by striking the phrase “shall fulfill or exceed” and inserting the phrase “shall maintain net zero energy compliance and fulfill or exceed” in its place.

(d) A new paragraph (7) is added to read as follows:

“(7) For the purposes of this subsection, the term “net zero energy compliance” means compliance with a net-zero-energy standard, as that term is defined in section 2(a)(3) of the Clean Energy DC Building Code Amendment Act of 2022, effective September 21, 2022 (D.C. Law 24-177; D.C. Official Code § 6-1453.01(a)(3)).”.

Sec. 3. The Department of General Services Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01 *et seq.*), is amended as follows:

(a) Section 1023 (D.C. Official Code § 10-551.02) is amended as follows:

(1) The lead-in language is amended by striking the number “6” and inserting the number “7” in its place.

(2) Paragraph (5)(F) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(3) Paragraph (6) is amended by striking the period and inserting the phrase “; and” in its place.

(4) A new paragraph (7) is added to read as follows:

“(7) Sustainability and Energy, which shall implement and oversee energy and sustainability efforts at District-owned properties including:

“(A) Achieving compliance with building energy efficiency and net-zero-energy standards, as that term is defined in section 2(a)(3) of the Clean Energy DC Building Code Amendment Act of 2022, effective September 21, 2022 (D.C. Law 24-177; D.C. Official Code § 6-1453.01(a)(3)), as required under District law;

“(B) Ensuring that District-owned properties comply with sustainable waste management requirements under section 104a of the Sustainable Solid Waste Management Amendment Act of 2014, effective March 16, 2021 (D.C. Law 23-211; D.C. Official Code § 8-1031.04a), and developing and implementing waste diversion programs, including source reduction, recycling, reuse, composting, and other Zero Waste programs and services;

“(C) Overseeing the environmental programs office established by section 501 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-825.01); and

“(D) Providing direct guidance and support to other agency divisions and District agencies on adhering with legislative and regulatory energy and sustainability mandates and achieving other energy and sustainability goals.”.

(b) Section 1027 (D.C. Official Code § 10-551.06) is amended to read as follows:

“Priority consideration for the District government’s facility needs shall be given to buildings maintaining net zero energy compliance and to buildings fulfilling or exceeding the LEED-NC 2.2 standard or the LEED-CS 2.0 standard at the silver level.”.

(c) A new section 1022a is added to read as follows:

"Sec. 1022a. Definitions.

For the purposes of this section, the term:

(1) "Department" means the Department of General Services.

(2) "LEED-CS" and "LEED-NC" shall have the same meanings as provided in section 2(28) and (30), respectively, of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01(28) and (30)).

(3) "Net zero energy compliance" shall have the same meaning as provided in section 3(a)(7) of the Green Buildings Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.02(a)(7)).

(d) A new section 1027a is added to read as follows:

"Sec. 1027a. Net zero energy construction and maintenance program.

"(a) At least biennially, the Department shall host free training sessions for relevant Department employees, representatives of certified business enterprises in the industry, and interested outside parties on the:

"(1) Principles of energy efficient construction applicable to net zero energy District buildings;

"(2) Distinctive operational and maintenance needs of highly energy efficient buildings;

"(3) Types of renewable energy generation systems used in District government buildings; and

"(4) Distinctive operational and maintenance needs of renewable energy generation systems.

"(b) No later than November 30 of each even-numbered year, the Department shall submit to the Council a report on certified business enterprise and resident employee participation in the Department's net zero energy and energy retrofitting projects, including, for the prior 2 fiscal years:

"(1) A list of Department-managed net zero energy and energy retrofitting projects ongoing or completed during the prior 2 fiscal years whose cost to the District has exceeded or is planned to exceed \$250,000;

"(2) For each such project, the total estimated cost of such projects and the portion of that cost completed by, or estimated to be completed by, certified business enterprises;

"(3) For each such project, the total or estimated total labor hours dedicated to such projects and the portion or estimated portion of those labor hours completed by District residents; and

"(4) Copies of any approved certified business enterprise program waivers that the Department obtained for such projects."

Sec. 4. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

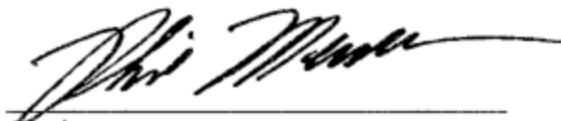
(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 5. Fiscal impact statement.

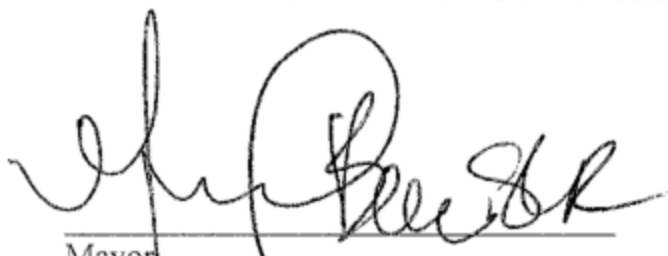
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 12, 2023